

O  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

-PS-O-

---

KELLY COLESON, 07A2499,

Plaintiff,

-v-

09-CV-6052Fe

CHRISTOPHER LEE, Willard DTC Program 7-12-08 C.O.; **ORDER**  
ROBERT REED, Willard DTC Program 7-12-08 C.O.;  
C.O. GREY, Willard DTC Program 7-12-08 C.O.;  
JOHN DOE, 7-12-08, 3-11 Shift Willard DTC C.O.;  
JOHN DOE, 7-12-08, 3-11 Shift Willard DTC C.O.;  
JOHN DOE, 7-12-08, 3-11 Shift Willard DTC C.O.;  
JOHN DOE, 11-7 Shift Five Point Sergeant;  
JOHN DOE, 7-13-08 11-7 Shift Five Points C.O.;  
JOHN DOE, 7-13-08 11-7 Shift Five Points C.O.;  
JOHN DOE, 7-13-08 11-7 Shift Five Points C.O.;  
JANE DOE, 7-12-08 3-11 Shift Willard DTC Nurse  
and JANE DOE, 7-13-08 11-7 Shift  
Five Point Nurse;;

Defendants.

---

Plaintiff, who is incarcerated in the Fishkill Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted. In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria.

In her complaint, plaintiff lists several identified defendants, seven John Doe defendants and two Jane Doe defendants.

Pursuant to Valentin v. Dinkins, 121 F.3d 72 (2d. Cir. 1997) (per curiam), the Court requests that the Attorney General of the State of New York ascertain the full names of the John and Jane Doe defendants plaintiff seeks to sue. The Attorney General is also requested to provide the addresses where all of the John and Jane Doe defendants can currently be served. The Attorney General need not undertake to defend or indemnify these individuals at this juncture. This order merely provides a means by which plaintiff may name and properly serve the defendants as instructed by the Second Circuit in Valentin.

The Attorney General of the State of New York is hereby requested to produce the information specified above regarding the identities of the John and Jane Doe defendants by **March 19, 2009**. Once this information is provided, plaintiff's complaint shall be deemed amended to reflect the full names of the John and Jane Doe defendants, summonses shall be issued and the Court shall direct service on those defendants.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor. The Clerk of Court shall send a copy of this Order and the amended

complaint to the Assistant Attorney General in Charge, 144 Exchange Street, Rochester, New York 14614.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

**SO ORDERED.**

s/Michael A. Telesca  
MICHAEL A. TELESCA  
United States District Judge

Dated: February 12, 2009  
Rochester, New York